



Atty. Dkt. No. 043844-0106

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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Peter Depew Fiset
Title: SKIN TANNING AND LIGHT THERAPY SYSTEM AND METHOD
Application No.: 10/558,092
International Filing Date: 05/24/2004
371(c) Date: 11/23/2005
Examiner: Ahmed M. Farah
Art Unit: 3769
Confirmation No.: 2229

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated March 17, 2009, and in the Advisory Action dated August 25, 2009, finally rejecting Claims 1-5, 7-24 and 44.

☒ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

09/15/2009 MAHME1 00000021 10558092

01 FC:2401
02 FC:2253

270.00 OP
490.00 OP

The required fees are calculated below:

<input checked="" type="checkbox"/>		Notice of Appeal Fee	\$540.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:		\$1,110.00
<input checked="" type="checkbox"/>	Extension Already Obtained for first month:		\$130.00
		FEE TOTAL:	\$1,520.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):		\$760.00
		TOTAL FEE:	\$760.00

A credit card payment form in the amount of \$760.00 for a Notice of Appeal and a Petition for a second and third month extension of time is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16, 1.17 and 41.20, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

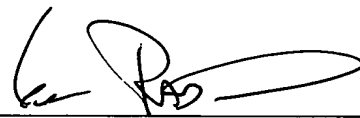
Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 14, 2009

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By



Leon Radomsky
Attorney for Applicant
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